IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

TUESDAY, THE 20TH MARCH 2007 / 29TH PHALGUNA 1928

WP(C).No. 7349 of 2007(Y)

PETITIONER:

D.MATHUKUTTY,
CHARUVILAVEETTIL HOUSE, LAKKIDI P.O.,
VYTHIRI, WAYANAD DIST.

BY ADV. SRI.S.M.PRASANTH

RESPONDENTS:
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1. **THE DISTRICT COLLECTOR,**
   WAYANAD, CIVIL STATION KALPETTA,
   KALPETTA NORTH P.O., WAYANAD DIST.

2. **ASSISTANT ENGINEER,**
   KSEB, VYTHIRI, VYTHIRI P.O., WAYANAD DISTRICT.

3. **M.JOHNY,**
   CHARUVILAVEETTIL HOUSE, LAKKIDI P.O.,
   VYTHIRI, WAYANAD DIST.

BY GOVERNMENT PLEADER SMT.N.SUDHADEVI
BY ADV.SRI.JOSE J.MATHEICKAL, S.C. KSEB

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 20/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C) NO.7349/2007

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1:- COPY OF THE ORDER DT.17.2.07 OF 1ST RESPONDENT.

EXT.P2:- COPY OF THE COMMISSIONER'S REPORT IN OS. NO.164/06 DT.13.10.06.

/TRUE COPY/

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K.BALAKRISHNAN NAIR, J.

W.P.(C) NO. 7349 OF 2007-Y

JUDGMENT

The petitioner challenges Ext.P1 order passed by the 1st respondent District Collector, permitting drawal of an electricity line, to give power supply to the 3rd respondent, overruling his objections. He attacks Ext.P1 on various grounds, including the one that it is a non-speaking order.

2. The learned standing counsel for the K.S.E.B made available to me a sketch through which the line is drawn. It would appear that the line is drawn through the boundary of the petitioner's property, abutting a puramboke water channel. So, the drawing of the line will not cause any serious inconvenience to the petitioner. Therefore, even if Ext.P1 is a non-speaking order, in the absence of serious prejudice, this Court need not go into such technical contentions. In view of the above position, the Writ Petition is dismissed.

20th March, 2007. K.BALAKRISHNAN NAIR, JUDGE.

Nm/